

EXTENSIONS OF REMARKS

MAKING A REAL DIFFERENCE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. GINGRICH. Mr. Speaker, I want to encourage my colleagues to read the following article about a woman in my district who is making a real difference in our community. Deborah Wolf, an attorney and the president of a personnel placement firm, founded a non-profit organization called "Working Wardrobe." Working Wardrobe provides professional apparel for women facing domestic violence or victims of other economic hardships, thus enabling these women to feel confident and look their best for interviews which hopefully lead to fulfilling career opportunities. As we look for ways to shrink the size and scope of government, Working Wardrobe is a shining example of how individuals and community can effectively and more efficiently help those in need. By emphasizing work, personal responsibility and a helping hand, welfare caseloads will continue to plummet, thus strengthening families and children and enabling even the neediest to participate in the American dream.

HELPING NEEDY WOMEN DRESS FOR WORK SUCCESS

(By Ernest Holsendolph)

Dressing for success is no frivolous matter in the business world, and it remains a critical factor for many job applicants. It can be the difference between getting a job or not. Just ask Deborah L. Wolf.

Wolf, a lawyer turned medical personnel placement specialist, said that more frequently than she cares to recall, many qualified, typically female, job seekers fail to get a job simply because they do not have appropriate clothing to wear.

"It is absolutely heartbreaking to see that happen," she said.

An article in Good Housekeeping magazine recently told about organizations around the country that gather clothing for people who want to work but can't afford the proper attire. Wolf, a person of action, has launched Working Wardrobe Inc. in the greater Atlanta area, just in time to help state agencies and others seal the final preparation for female newcomers to the work force.

What Wolf is doing, with the assistance of a growing number of volunteers, is an encouraging sign that private efforts will certainly buttress other work to help people by the thousands move from welfare and other forms of dependency to the workplace.

Working Wardrobe formally will open its doors during the last week of this month, and here is what it will do:

Receive and sort donated clothing from various sources that range from individual donors such as local television personalities and others, to donors like Macy's department store.

Interview and consult with women as they are referred by the state Department of

Family and Children's Services or the Labor Department, having been trained and cleared for work.

Get them attired for their initial job interviews and for the first weeks of the job.

Wolf, who has operated her own business, All Medical Personnel, for six years, said she believes this kind of assistance will boost the confidence level of the inexperienced job seekers.

The idea has gotten quick positive response from people who can help. Noteworthy is the offer of 2,500 square feet of space by the Apparel Mart in downtown Atlanta where Wolf and her helpers can launch May 27 or thereabouts.

"This has been a marvelous donation, and just what we needed," Wolf said. The offices will be right there within eyesight of many top apparel makers and distributors. And the downtown location will be reachable by a maximum number of people who need the service because of the proximity to bus lines and the MARTA rail system.

"We want shelters and other organizations whose clients may need this service to be aware of us," Wolf said.

As the volunteer effort grows, Working Wardrobe will need ever larger sources of garments and other apparel, as well as volunteers to process clothing. The items they seek include skirt and pants suits; skirts, blouses, jackets and dresses; as well as overcoats, shoes, pocketbooks, scarfs, belts, jewelry and new pantyhose and cosmetics. No used undergarments, cosmetics or pantyhose will be accepted, nor will men's clothing be accepted.

Wolf said she will also need more volunteers to step forward as consultants to work with the women.

The effort will also need some expertise, including speakers and fund-raisers, as well as people with sewing and tailoring skills to make some items for size 16 and larger, and also mend items needing small repairs.

Wolf, a trained commercial real estate attorney, who found herself beached during a business downturn in the late 1980s, turned entrepreneur in 1991 by launching her medical placement service.

She admits she knows nothing special about business attire, but then she knew nothing about medical careers until she launched her business and learned by doing.

"I'm must grateful for my own opportunity to succeed," Wolf said. "And my effort here to start Working Wardrobe is something I hope can partially pay back our community for the good fortune I have had."

Anyone who can help Working Wardrobe should call 404-320-9125, which currently is located in the offices of All Medical Personnel at 1961 North Druid Hills Rd. Suite 201-A.

BIRTH DEFECTS PREVENTION ACT OF 1997

SPEECH OF

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1998

Mr. ROEMER. Mr. Speaker, I rise in strong support of the "Birth Defects Prevention Act of 1997" (S. 419). I strongly support this legislation, which responds to a very serious health care problem in the United States today.

Current medical research indicates that birth defects are the leading cause of infant deaths in the United States. It is estimated that 150,000 babies will be born with a serious birth defect in 1998, and that one out of every five of these babies will die. In the United States, birth defects affect three percent of all births, and among the babies who survive, birth defects are a significant cause of lifelong challenges.

Depending on the particular type of problem and its severity, special medical treatment, education, rehabilitation and other services are usually required into adulthood, costing billions of dollars each year. A recent Centers for Disease Control and Prevention report indicated that the lifetime cost for just 18 common birth defects occurring in a single year is \$8 billion. However, only about 22 percent of those born with birth defects are included in these figures.

Birth defects can be reduced with a national strategy to direct the Centers for Disease Control to collect the information on birth defects, to provide funding and support in research at the State level and to set up regional centers to deal with birth defects as this legislation provides. We should strongly support the efforts of the Easter Seals Society, the American Hospital Association, and other organizations in developing and directing the Centers for Disease Control to work with States and local governments to survey birth defects and to bring together the information so that researchers can work to educate families about the challenges that are ahead for them. I know local groups, such as families with a child who has spina bifida can meet with other families and be a great source of strength and experience.

Mr. Speaker, S. 419 is good public policy and I encourage my colleagues to support the bill.

INTRODUCTION OF DISABLED CHILDREN'S FAIRNESS ACT OF 1998

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. RUSH. Mr. Speaker, today I am introducing the Disabled Children's Fairness Act of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1998. My bill will offer technical amendments to Title XVI of the Social Security Act to lessen the adverse impact of provisions in the federal welfare reform law that affect low income disabled children receiving Supplemental Security Income (SSI) benefits. The SSI Coalition for a Responsible Safety Net, a national advocacy organization, has endorsed the bill. I also want to thank Representatives WAXMAN and MARTINEZ for their support as original cosponsors.

My bill will reinstate the medical improvement test protection for low-income disabled children turning 18 who are subject to mandatory review of eligibility for SSI benefits under the federal welfare reform law. The amendment would require that before the Social Security Administration (SSA) could terminate benefits for this group of children, SSA would have to show evidence that the child's condition no longer existed, or that it had significantly improved and no longer impaired the ability to function. An estimated 30,000 children turning 18 have already been cut off all SSI benefits because of this loophole. The amendment leaves intact the new law's provision of a mandated review of all children turning 18.

The bill also proposes to expand allowable expenditures from Dedicated Savings Accounts (DSAs). Dedicated Savings Accounts are funds that are set up by parents or representative payees for disabled children who are eligible to receive past-due monthly SSI benefits (if the payment is six times or more the monthly benefit). Current law restricts the use of these funds for certain items. Consequently, many disabled children have gone without basic needs (e.g., food, shelter, clothing) while their SSI applications were pending. My bill expands the list to include items essential to maintaining a child at home with parents or guardians.

I hope that my introduction of the Disabled Children's Fairness Act of 1998 will call attention to the responsibility of this Congress to revisit the impact of federal welfare reform on low-income disabled children and their families.

CONGRATULATIONS TO JEFF GOLIMOWSKI

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Ms. HOOLEY of Oregon. Mr. Speaker, I would like to extend my congratulations and recognize the stellar achievement of Jeff Golimowski, a senior at Newport High School in Newport, Oregon. Jeff has been named the first place National winner of the Veterans of Foreign Wars "Voice of Democracy" essay competition.

In his winning essay he gave ample proof of his good citizenship, and he showed his concern for making his voice heard in our democracy. Out of over 100,000 students participating in this, the 51st year of the competition, his essay was singled out. I can see why.

Jeff embodies the ideals that we as a society try to teach our young. As a product of our

public school system, he represents a commitment to patriotism and high-minded idealism. As an American, he displays a respect for our collective past and a shining enthusiasm for our future.

Jeff, if you ever want a job as a speech-writer, give me a call. Congratulations and good luck in all your future endeavors.

INTRODUCTION OF THE E-RATE POLICY AND CHILD PROTECTION ACT OF 1998

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. MARKEY. Mr. Speaker, I rise to introduce the E-Rate Policy and Child Protection Act of 1998. Mr. Speaker, the Telecommunications Act of 1996 contained a provision that I had battled for and advocated for many years. The concept was straightforward: make America's schools and libraries eligible for universal service funding so that these educational entities could receive discounted rates for telecommunications services. During FCC implementation of this provision, I coined the term "E-Rate"—for "education rate"—to describe a system of discounts for telecommunications services that would allow schools and libraries to enter the digital age and better prepare our citizens for the knowledge-based economy of the future.

As a nation, we did the job of preparing previous generations to compete in the Industrial Era. From the founding of our republic, the common school movement and leaders such as Horace Mann provided the impetus for the ideal that each and every American should be entitled to an education, regardless of economic status.

America cannot leave kids from middle class working families out of the knowledge-based economy and still hope to retain its economic standing in a fiercely competitive global environment. At the turn of the 20th Century, 10 of the 12 largest companies in America were natural resource companies. As we enter the 21st Century, the 10 largest and most rapidly expanding industries in the world are brainpower industries; telecommunications, computer software, microelectronics, biotech, material-science, among others. The E-Rate is an essential program for our country's economic future.

Now that the E-Rate program is being implemented, some concerns have been raised about access to material on the World Wide Web that is inappropriate or unsuitable for children. I have long believed that technology can often offer a solution to some of the problems that technology creates. Software filtering technology and other blocking technology can help to provide some protection in schools to shield children from inappropriate online fare. Other solutions may also mitigate against minors gaining access to Web sites that parents and educators feel are indecent and want to shield from young children.

I believe that the digital age will present both promise and problems. I also believe that we can embrace technological change, use it

to empower our citizens and also face the challenges that technology poses for us. The purpose of the legislation that I am offering today is to ensure that local school and library officials think through the many issues of online access, and implement a policy for addressing access by children. This legislation will ensure that before schools and libraries obtain E-Rate funding in the future that they establish some policy governing access by minors.

A TRIBUTE TO ALBERTO FIBLA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. DIAZ-BALART. Mr. Speaker, I rise today to pay tribute to a great Cuban who is now, also, a great American and a constituent of mine, Dr. Alberto Fibla, who is a true inspiration to all of us.

Dr. Fibla survived over 20 brutal years in jail as a political prisoner under the Castro dictatorship.

When Dr. Fibla recently became a United States citizen, one of his first acts was to seek to register with the Army and Navy. Dr. Fibla wanted to volunteer as a physician to serve this country to assist in America's efforts in the Persian Gulf region. Unfortunately, Dr. Fibla was turned away because he exceeded the age requirement. However, I believe that Dr. Fibla's efforts to join the Armed Forces should be applauded.

It is easy to take the personal privileges and great freedoms we enjoy in this great country, the United States of America, for granted. Often it is the patriotism shown by new citizens, such as Dr. Alberto Fibla, that remind us of the importance of our liberty and freedoms.

Thank you, Dr. Fibla, for your commitment to the defense of the United States. You are truly a great American.

INTRODUCTION OF H.R. 3440

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. ROEMER. Mr. Speaker, I rise today to introduce H.R. 3440, the Alternative Routes to Teacher Certification Act of 1998 which will help our local school districts recruit and license highly-qualified professionals with significant work experience to teach in our nation's schools.

Congress will reauthorize the Higher Education Act this spring, and an important part of the reauthorization is teacher training. We have the opportunity to restructure how our nation recruits, trains, and supports teachers and we are not only faced with the challenge of maintaining the supply of teachers, but also with ensuring that our children have access to the highest quality teachers.

If current trends continue, American schools will need to hire more than two million teachers in the next decade to educate an increasing number of students and to replace teachers who retire or leave the profession.

In addition, there are too many teachers who do not know their subject matter well enough to teach it to our students. This is a real problem in our urban and rural areas, which face significant difficulties in recruiting qualified teachers. In high poverty schools, 40% of math teachers, 31% of English teachers, and 20% of science teachers are instructing in subjects in which they hold neither a college major or minor.

The recently released TIMMS scores in which our nation's 12th graders scored near the bottom internationally in math and science highlights the importance of having fully qualified teachers. We can and must do better.

There are highly qualified individuals who have already earned bachelor's degrees and serve in other occupations who are interested in pursuing a teaching career—in 1996, ten percent of all teachers at the elementary or secondary level worked in an occupation outside of education in the previous year.

I think that teaching is one of the most important professions in this country, and I support high standards for teachers, but I think that we should reduce barriers to getting these highly qualified individuals into the classroom.

My bill will award grants to local school districts and teacher training programs that develop alternative routes to certification programs that open the teaching profession to individuals with professional experience who have the desire to teach.

My bill will empower local school districts that are facing teacher shortages or subject-area shortages to develop bold and innovative programs that recruit and prepare these highly qualified individuals to teach in our elementary and secondary schools.

These individuals could include education paraprofessionals, former military personnel, mid-career professionals, or returned Peace Corps volunteers. It can also include recent college graduates who have a record of academic distinction and hold a BA in the academic subject area in which they plan to teach.

These individuals bring distinctive and diverse life experiences into the classroom, which can enrich the curriculum and school and enhance the quality of our educational system.

My bill will also encourage States to develop more rigorous assessments certification and teacher licensing exams based on subject-matter knowledge, teaching knowledge, teaching skills and other performance-based examinations.

I am joined by my colleagues JIM MORAN, CAL DOOLEY, RON KIND and ANNA ESHOO. I urge your support for this important bill.

DISMAY OVER OREGON'S DEATH WITH DIGNITY LAW

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today in dismay over the Oregon Health Service Commission's decision to use taxpayers' money to end the lives of Med-

icaid recipients. This decision, an inevitable outcome of the state's Death with Dignity law, devalues the lives of the poor and forces their neighbors to contribute to their demise. Our forefathers believed, as do I, that the value of human life is not found in circumstance, lest poverty or frailty diminish it, but from God who gives each of use the will to overcome the indignities of life. On this point, I want to share the thoughts of Krista Kafer of Colorado.

"The Oregon Health Services Commission's decision to spend taxpayers' money to finance the killing of terminally ill poor people will no doubt revive the debate over euthanasia. We will once again hear proponents talk about the need for 'death with dignity.' If Oregonians are shocked that they may actually help kill the undignified dying poor, then they should call to memory the slippery slope argument they once ignored. They should have questioned the concept of 'death with dignity' a few months ago.

"That we should die to escape indignity or kill to alleviate it is a dangerous concept indeed. Of those who espouse such a morbid conviction, one might inquire further: When there is so much indignity in life, why prescribe death only to the dying? Indignities abound from morning to night, even in sleep, in spite of our constant, desperate efforts to sanitize, deodorize and conceal them. No better than our animal friends, we cannot escape certain realities of our existence from birth to decay. Indignity is inescapable.

"There are moments so undignified that no one dares peak of them in casual conversation or popular entertainment. Commercials show people with forks or beverages, but rarely eating or drinking, because chewing and swallowing are not pretty. Eating is not glamorous. Neither is sneezing, scratching, hiccuping, burping, nose blowing, acne, giving birth, and other acts that I cannot even mention. Beans anyone?

"Great figures in history, George Washington, Clara Barton, Mother Teresa, Martin Luther King, Jr., were men and women of dignity not because they did not do these things, but because they were courageous, benevolent, and honorable. They accomplished extraordinary things while remaining bound by their human imperfections. They were men and women of integrity and, therefore, of dignity. History judges the measure of men not by their physical being, but by the quality of their hearts.

"My uncle spent the last 3 months of his life in a hospice, dying of cancer. He told my parents that between visits with friends and family, he spent the hours praying for people that he loved. Bedridden, breathing oxygen through a tube, suffering with pain and discomfort, my uncle spent his last days thinking of others, doing what he could to serve them. People say they don't want to be remembered that way, but this is how I will remember my uncle, a selfless, kind man, whose dignity in death was far greater than many will possess in life."

Dignity is about character which is not diminished by frailty. The term "dignity in death" is simply a euphemism used to legitimize the killing of the weak, the desperate, and now, the poor.

TRIBUTE TO SOUTHWESTERN MISSIONARY BAPTIST CHURCH OF CHICAGO, ILLINOIS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to and honor the Southwestern Missionary Baptist Church of Chicago, Illinois on the occasion of the celebration of their 70th year Church Anniversary.

On March 6, 1928, God called together eight individuals for the purpose of establishing a church to the glory of God. That church soon became known as the Southwestern Missionary Baptist Church. The Reverend B. H. January was called as the first pastor of Southwestern Church. Reverend January served faithfully and with distinction for over 27 years before his retirement. He was succeeded in leadership of Southwestern by the Reverend Eugene M. Dillard.

Under the ministry of Reverend Dillard, Southwestern moved to its present location at 8638 South Michigan Avenue. Reverend Dillard retired from the ministry in October, 1966. The Reverend William Conley served as the third pastor of Southwestern from 1966 until 1974 and initiated the church's first Building Fund. The Reverend Leon Edwards was called as the fourth pastor in July, 1974. Reverend Edwards served with much pride and commanded the respect of all. Under the leadership of Reverend Edwards, Southwestern was able to complete the construction of its new church facility. On January 27, 1997, God called Reverend Edwards home to rest.

The Reverend Dwight D. Craig, assistant Pastor under Reverend Edwards was installed as the fifth pastor of Southwestern on June 29, 1997. Reverend Craig has continued to build on the legacy of his predecessors. Souls have been saved and healed; they that were bound have been set free; the discouraged have gained courage; and the weak have been made strong.

Mr. Speaker, Southwestern has been an anchor in the First Congressional District, the State of Illinois and indeed the nation. I am honored to recognize the historic anniversary celebration of the Southwestern Missionary Baptist Church and am privileged to enter these words into the CONGRESSIONAL RECORD of the United States House of Representatives.

GOVERNOR WILSON ABOLISHES AFFIRMATIVE ACTION

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. PACKARD. Mr. Speaker, yesterday California Governor Pete Wilson issued an executive order that institutes a provision of State Proposition 209 which abolishes affirmative action. I commend Governor Wilson for his commitment to abolishing policies that favor any group for reasons other than merit.

This has been an uphill battle for Governor Wilson. California voters passed Proposition 209 in 1996, yet officials were unable to enforce the measure because of a clause in the State Constitution that requires agencies to continue to enforce affirmative action programs until they are negated by an appellate court decision.

Last fall, a federal court ruled that any law mandating that state contractors favor companies owned by minorities or women is unconstitutional. After contemplating a request to reconsider this decision, the U.S. 9th Circuit Court of Appeals upheld the federal court ruling earlier this week, giving Governor Wilson the go-ahead to issue his executive order.

Mr. Speaker, Governor Wilson's order paves the road for other states looking to abolish affirmative action programs and allows us to turn our attention to the federal level. Congressman CHARLES CANADY (R-FL) has introduced H.R. 1909, the Civil Rights Act of 1997. This bill provides equal protection of the law and prohibits discrimination and preferential treatment on the basis of race, color, national origin, or sex in federal actions.

I urge my colleagues to take a close look at this legislation. Mr. Speaker, it is time for us to follow California's lead and reward individual's based on their merit, not quotas.

RECOGNITION OF BARBARA SMITH

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. WEYGAND. Mr. Speaker, I rise today to recognize Barbara Smith of Providence, Rhode Island. Mrs. Smith is employed at the Rhode Island Meals on Wheels and has been awarded a Prime Time Award. Prime Time Award recipients are selected by Green Thumb, Inc to honor the important contributions of America's Oldest Workers. Green Thumb, Inc is the nation's oldest and largest nonprofit provider of job training and employment for older Americans.

Mrs. Smith was born and raised in Providence, Rhode Island. Throughout her marriage and raising her four children, she maintained a career outside of the home. At first she worked in a factory, then she attended college and completed an Advanced Clerical degree. Using her degree, Mrs. Smith worked for fifteen years at Prudential Insurance, and later at a bank. Eventually she made her way to Meals on Wheels and has been making a difference in the lives of the older members of her community ever since.

In addition to her time at Meals on Wheels, Mrs. Smith gives back to her neighborhood by donating her time to charity work. She is also involved in the Eastern Star and the Daughters of Isis. She has served in leadership positions in both of these worthwhile organizations.

Barbara Smith has been a spectacular role model to both those young and old in Warwick. I am proud to represent such as asset to our great nation. I ask that my colleagues join me in congratulating Mrs. Smith on her award and in thanking her for her many years of service and hard work.

U.S. SERVICE ACADEMY NOMINATIONS

HON. FRANK A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. LOBIONDO. Mr. Speaker, duty, honor, valor, these are principles that will take on a new meaning for many students in the Second Congressional District of New Jersey as they seek to attend one of our U.S. Service Academies. Every year, high school seniors work diligently on essays and applications in their effort to secure a bid to one of our nation's military academies. One of the prerequisites to attend a U.S. Service Academy is receiving a nomination from the student's Representative in Congress, U.S. Senator, or the Vice President. The process for this year has been completed, and I was very impressed with the caliber of candidates I had the privilege of nominating to the academies.

I would like to recognize all of the students who received nominations from my office. The list of nominated students includes: Liznelia Alicea of Woodbine, Rebecca Baldwin of Pittsgrove, Brion Bennett of Marmora, Andrew Berenato of Ocean City, Christopher Broome of Linwood, Charles Blyone of Vineland, John R. Clark III of Monroeville, Andrew Clemmensen of Mays Landing, Christy Cohen of Port Republic, Steven Datz of Pitman, Dana Andrew Denny of Pilesgrove, Geoffrey Dull of Marmora, Caroline Farnoly of Vineland, George Eric Fleming of Egg Harbor Township, Tyler Forrest of Linwood, Brian Forster of Minotola, Colin Gold of Estell Manor, Heidi Gomeringer of Salem, Jennifer Janecz of Cape May, Jill Kozakowski of Ocean City, Matthew McCoach of Cape May Court House, George McConnell of Port Norris, Corey Meeks of Glassboro, Stacey Miller of Bridgeton, James Nicolosi of Pitman, Melanie Peter of Millville, Benjamin Pitts of Monroeville, Jonathan Pogranicy of Port Republic, Christopher Poponak of Cape May Court House, Melissa Reichenbach of Egg Harbor City, Dylan Rogers of Wildwood Crest, Edison C. Rush III of Pennsville, Christopher Ryckebusch of Mays Landing, Angelina Schulz of Fortescue, Michael Skey of Linwood, Larry Smashey of Monroeville, Joel Sofia of Pitman, Adam Sparks of Carneys Point, Juancarlos Villar of Vineland, Robert Ward of Cape May Court House, and Joseph Welsh of Northfield.

To demonstrate the dedication of students who received nominations, let me provide a synopsis of the application process. High school seniors mail personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy once they become interested in attending. Information includes academic achievement, college entry test scores, and other activities. At this time, they also inform their Representative of their desire to be nominated. The academies then assess the applicants, rank them based on the data supplied, and furnish my office with their evaluations of each student.

Students are then interviewed by an Academy Screening Board made up of local citizens who volunteer their time to conduct inter-

views for my office. Given the caliber of each of this year's applicants, I know the Board's job was particularly difficult. I would like to recognize these men and women who served on the Academy Screening Board and to thank them for giving up their time and for all of their hard work. These individuals have contributed to their communities in a variety of ways and are characterized by a strong commitment to public service and their country.

The students who have made it through the nomination process are to be commended. They have worked hard and their families, schools and communities should be proud of their efforts. I wish all of them the best of luck in their quest to receive an invitation to one of our country's prestigious academies.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. KIND. Mr. Speaker, last week Senator FRED THOMPSON's committee which is investigating campaign finance abuses in the 1996 elections issued its final report. The news from the report was not new, or startling. The committee concluded that our political system has been undermined by the influence of big money, specifically soft money.

The current soft money loophole allows wealthy donors to donate unlimited amounts of money to influence federal elections. The threat of massive spending in a Congressional campaign forces special interest groups to weigh in with their own money, and candidates to raise increasingly large personal war chests. This cycle has to end. We need to bring the out-of-control spending in federal elections to an end.

In two weeks we will finally have our chance to do something about campaign finance reform. I hope we don't miss this golden opportunity to restore the public's faith in our democratic system. The people of my district will not accept "no" for an answer.

MILITARY RETIREES FAIRNESS ACT OF 1998, H.R. 3434

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. EVANS. Mr. Speaker, on March 11, 1998, I introduced H.R. 3434, the Military Retirees Fairness Act of 1998. I am very pleased my colleague from Florida, Mr. BILIRAKIS, a strong and committed advocate for veterans and military retirees, has joined me as an original sponsor of this legislation. We encourage Congress to enact legislation this year to resolve the long-standing problem addressed by H.R. 3434.

Under current law, men and women who served in our Nation's Armed Forces are barred from the concurrent receipt of full military retirement pay and the full amount of compensation granted for a service-connected

disability incurred or aggravated during their military service. The Military Retiree Fairness Act will allow military retirees to concurrently receive military retirement pay and service-connected disability benefits.

Service-connected benefits are paid to compensate a veteran for disabilities incurred or aggravated during military service. In contrast, military retirement is paid to provide an income to military retirees who spent at least 20 years of their lives working for, and serving, our country as members of the Armed Forces. The purpose and intent of these two programs are distinctively different and should not be confused or considered duplicative. Retired military personnel who were fortunate enough to have emerged from military service unscathed receive the full amount of military retirement pay which they have earned by their military service and do not qualify for service-connected disability benefits. In many cases, these retirees are able to earn additional income through post-military employment and thereby accrue Social Security or other retirement income benefits.

Those military retirees who were not so fortunate, are required to forfeit all or a portion of their military retirement pay in order to receive service-connected compensation which has been granted as a result of disability or disease incurred or aggravated during their military careers. These veterans, as a result of their service-connected medical conditions, face diminished post-military service employment possibilities and, therefore, a reduced ability to earn additional income through non-military employment, thereby losing the opportunity to accrue Social Security or other retirement income benefits.

While all veterans who are subject to the concurrent receipt offset are unfairly penalized, the Military Retiree Fairness Act would rectify the injustice which falls most heavily on our older veterans. Retirees who qualify for Social Security disability benefits have those benefits offset by monies received under State worker's compensation laws. However, the Social Security statute provides that this offset, which is similar to the military retirement offset, ends when the worker attains 65 years of age. Furthermore, while recipients of Social Security benefits who earn income have their Social Security benefits reduced as a result of their earnings, this offset is reduced at age 65 and eliminated entirely at age 70. The Military Retiree Fairness Act would promote fairness between military retirees and Social Security retirees by reducing the amount of the concurrent receipt offset by 50 percent at age 65 and eliminating it entirely at age 70.

Those military retirees who have given so much of their lives to the service of our country and suffered disease or disability as a direct result of their military service do not deserve to be impoverished in their older years by the current receipt offset penalty. I urge my colleagues to join this bipartisan effort to promote fairness for America's military retirees.

TRIBUTE TO PASTOR T.L. BARRETT, JR., PASTOR OF THE LIFE CENTER CHURCH OF GOD IN CHRIST OF CHICAGO, ILLINOIS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to Pastor T.L. Barrett, Jr. on the occasion of his celebration of his Thirtieth year in the Pastoral ministry. Pastor Barrett serves proudly and with distinction as the Pastor of the Life Center Church of God in Christ in Chicago.

Pastor Barrett has served in the Gospel Ministry for thirty-five years, accepting the call of the Lord at the age of nineteen. Pastor Barrett is the recipient of two honorary doctoral degrees. He holds the Doctorate of Divinity and Doctorate of Humane Letters from the University of Monrovia in Monrovia, Liberia, West Africa. Under the leadership of Bishop Ocie Booker, Prelate—First Ecclesiastical Jurisdiction of Illinois, Churches of God in Christ, Pastor Barrett serves as Superintendent of the E. Burns Memorial District.

In 1968, the Lord directed Pastor Barrett to organize the Mt. Zion Baptist Church. Pastor Barrett moved the church to its present location in 1983, where being led by Christ, the name was changed to Life Center. With the power of the Holy Spirit, Pastor Barrett has demonstrated an unwavering commitment to the foundation of the Christian mission, leading souls to repentance.

Building a ministry that focuses on the total man, Pastor Barrett is an outstanding motivational speaker and teacher. He is the author of many publications on the science of better living and positive thinking. He has organized numerous programs in the Robert Taylor Homes public housing complex, including the Big Brother and Sister program and the Life Enrichment program. Pastor Barrett is the proud father of 13 children and 12 grandchildren.

Mr. Speaker, I want to encourage Pastor T.L. Barrett, Jr., Pastor of the Life Center Church of God in Christ to continue to be steadfast and unmovable, always abounding in the work of the Lord. I am truly honored to pay tribute to this outstanding Servant of God and am privileged to enter these words into the CONGRESSIONAL RECORD of the United States House of Representatives.

CELEBRATING WOMEN'S HISTORY MONTH

SPEECH OF

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 10, 1998

Mrs. MORELLA. Mr. Speaker, on Sunday, March 8, women around the world observed International Women's Day and paid tribute to the women around the world who are being denied basic human rights. Today, members of Women's Caucus, with the leadership of

our co-chairs, are joining with them on the floor of the House in their struggle for justice and equal treatment.

In spite of our advances as we approach the 21st century, women around the world continue to be under attack. With increasing frequency, women are being used as tools of war, dehumanized not only for their gender, but also for their ethnicity and religious and cultural practices. In Algeria, women have been targeted for rape, they are raped and maimed and either casually killed, or kidnapped and forced into sexual servitude. The women of Afghanistan cannot work or go to school; they are not allowed out of their homes unescorted and must be covered from head to toe. In 1994 thousands of rapes, gang rapes, and rapes with objects such as sharpened sticks and gun barrels were carried out against Rwandan women by Hutu soldiers and members of the militia. Many Tutsi women were sexually mutilated or forced into sexual slavery, often after witnessing the torture and killing of their relatives and the destruction of their homes. Estimates from rape-related pregnancies range from 2,000–5,000. To date, the perpetrators of these acts of sexual violence have not been brought to justice for the crimes.

In too many countries, women either lack legal protection or the judicial system does not prosecute violations of those laws protecting their basic dignity. Female genital mutilation, one of the most horrific crimes inflicted upon women, has been performed on 85–114 million girls worldwide. In Sudan 82% of women have had the most extreme form of female genital mutilation performed. It is estimated that untrained birth attendants perform two-thirds of the procedures. They typically have limited knowledge of hygiene and often use inadequately cleaned traditional instruments. Side effects include trauma, bleeding and hemorrhaging; pain, stress and shock; infections (which can be fatal); painful and difficult sexual relations; obstructed labor and difficult childbirth; and psychological trauma. This procedure is contrary to basic human rights and any rational health care and must be stopped.

Women also continue to be subjected to the dehumanization of the sex industry. Each year in China, tens of thousands of mostly rural Chinese women are abducted or lured away from their homes by criminal networks promising work or travel. The women are then raped and beaten before being subjected to forced marriages to strangers or prostitution in Asia's sex industry centers, especially in Thailand or Taiwan. Approximately 10% of the female population of Thailand is in prostitution, although not enough to meet demand. Thai officials estimate that there are 20,000 women and girls trafficked from Burma to Thai brothels with 10,000 more imported each year, 10,000 women and girls from the Soviet Union and 5,000 from China.

Mr. Speaker, these are but a few of the issues concerning women's rights and dignity that we in Congress must be addressing. We have done much, but we must do more. The most positive step which we could take is to ratify the Convention on the Elimination of All Forms of Discrimination against women. This treaty, ratified by 161 countries, has been languishing before the Senate for 17 years.

CEDAW will give the force of international law to our efforts on behalf of women's rights, and also give us the credibility to be taken seriously on this issue when we advocate with foreign governments on behalf of human rights.

LATINA HISTORY DAY

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Ms. ROYBAL-ALLARD. Mr. Speaker, on March 13, 1998, Hispanics Organized for Political Equity (HOPE) Education and Leadership Fund's Seventh Annual Symposium, entitled A Proud Past . . . A Powerful Tomorrow will take place in California's 33rd Congressional District. In honor of this important event, I am proclaiming March 13, 1998, as LATINA HISTORY DAY.

The Symposium serves to address a variety of issues important to Latinas of all ages. I am pleased that Latinas benefit from the workshops on science and technology, and corporate management. This year's Symposium also introduces TEEN TRACK, which will focus on providing young Latinas with information on higher education and the importance of leadership.

Since its founding in 1989, the HOPE Education and Leadership Fund has remained dedicated to furthering the educational, political and economic status of Latinas. HOPE has anchored itself to the principle that knowledge of the political process coupled with active participation will guarantee a more representative, democratic government.

The proclamation of Latinas History Day during "Women's History Month" memorializes the important role Latinas play in American society. It recognizes the work and sacrifices of prior generations, celebrates contemporary Latinas, and lays the foundation for future generations.

I commend the HOPE Education and Leadership Fund for their commitment to Latinas, and in their honor, proclaim March 13, 1998, as Latina History Day.

TRIBUTE TO BOB MATHIAS

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Bob Mathias. This year marks the 50th Anniversary of Bob Mathias' Olympic Decathlon Gold Medal victory. Mr. Mathias is recognized as both an exceptional athlete and dedicated American. He has certainly left his mark in many ways.

Bob Mathias had a historical career in athletics that has been matched by no other athlete of our time. In 1948, Bob shocked the world by winning the Olympic gold medal in the decathlon. Bob was seventeen years old at the time, becoming the youngest person ever to win an Olympic gold medal in track and field. This record still stand today. Mathias

was recognized as the most outstanding amateur athlete in the United States when he received the Sullivan Award in 1949. He never lost a decathlon championship and retired undefeated after winning the gold medal again in the '52 Olympics. Bob was also an All-American running back for Stanford University, where he became the only athlete to play in the Rose Bowl and compete in the Olympics in the same year (1952). He was then drafted by the Washington Redskins in the 1952 NFL draft.

After his distinguished athletic career, Bob began to use his talents in many different fields. He served as an underwater demolition specialist in the US Marine Corps from 1954 to 1956. He also traveled extensively around the world for the U.S. State Department on good will missions, reporting to President Eisenhower. In 1954, Bob began his acting career when he starred in the movie "The Bob Mathias Story." John Wayne then signed him to be an actor in Hollywood where he worked in many films until 1960. In 1966, Bob Mathias was elected to the U.S. Congress where he served four terms as a distinguished Congressman from California.

Always a champion of youth, Bob became the director of the US Olympic Training Center in Colorado Springs. He worked there from 1977 through 1983 and built the center into a showcase for our athletes. Bob then served as the Executive Director of the National Fitness Foundation until 1987. He is currently the United States Goodwill Ambassador. Bob is married to Gwen and lives in Fresno.

Mr. Speaker, it is with great honor that I pay tribute to Bob Mathias. This year is the 50th Anniversary of his Olympic Decathlon Gold Medal victory. His dedication and exemplary efforts should serve as an inspiration to all. I ask my colleagues to join me in wishing Bob Mathias continued success for the future.

IN HONOR OF FATHER PETER METALLINOS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to honor Father Peter Metallinos on the occasion of his retirement. Father Metallinos has served his parish and his communities in multiple capacities for the last thirty-six years and his presence will surely be missed.

Born on the island of Tinos, Father Metallinos served God from the time he was a small boy. He decided to follow in the footsteps of his uncle after serving as an altar boy for him. Father Peter immigrated to the United States in 1952 and completed his pre-theological studies at the University of California. He entered the military, served as an MP, and assisted the U.S. Chaplain in conducting religious services.

Father Metallinos fulfilled his calling by studying at Holy Cross Theological Seminary in Brookline. His ordination took place on April 12, 1962 and later that year he was appointed as priest of the American-Hellenic Community of Greater Cleveland. This appointment

marked the beginning of his thirty-six year tenure at the St. Demetrios Church.

As priest of St. Demetrios Church, Father Metallinos started several monetary campaigns to upgrade the parish. The new facilities allowed St. Demetrios to conduct new ministries to better serve the community. This tradition continues today. Sunday School and Greek School continues to flourish and instill in children the religious teachings necessary for life. Father Metallinos also helped patients from around the world come to Cleveland to be treated at the city's medical facilities. Father Metallinos maintained a radio program designed to introduce the word of God to people of all ethnic backgrounds. Father Metallinos represented his parish well as he served on several international committees and was recognized by the United Hellenic American Congress for his outstanding service to humanity.

Although Father Peter is retiring, he will always be remembered in the hearts of St. Demetrios' congregation as a compassionate and loving person. As Father Metallinos, his wife Presbyteria, and his children move into this new stage of life, we thank him for his service to the community, to his parish, and to his Faith. My fellow colleagues, join me in saluting Father Peter Metallinos on his retirement from St. Demetrios Church.

IN RECOGNITION OF TOM TOHILL

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. FORBES. Mr. Speaker, I rise today in the House of Representatives to salute my friend Tom Tohill, as his 31 years of devoted and courageous service to the people of Long Island and to the Suffolk County Police Department draws to a close.

On February 6 of this year, this outstanding police officer also retired from his position as president of the Suffolk County Police Benevolent Association. This Friday, I will proudly join Tom's family, friends and colleagues as the Suffolk County Police Officer's Emerald Society honors him as the 1998 "Irishman of the Year."

The Tohill name comes from the Gaelic "O Tuathail," which itself is derived from the Gaelic phrase "mighty people." And the Tohills were a mighty people of the Irish County of Derry where their roots run as deep as the River Foyle that graces the banks of Derry City. Tom is certainly proud of his Irish heritage, and we are just as proud to say Tom Tohill is a son of Long Island. Born in the South Shore town of Copiague and raised in the Central Islip community, Tom is a graduate of the State University of New York in Farmingdale. He joined the Suffolk County Police Department on February 2, 1967 and served for more than 20 years in the Third Police Precinct in Bay Shore.

Tom began his service to the Police Benevolent Association in 1982, when his fellow police officers elected him the union trustee for the Third Precinct, a position he served in until 1988. He moved to become the PBA's Financial Secretary, and then in 1992 the PBA membership elected him President.

Tomorrow evening, Tom will be joined by his wife of 33 years, Diane, and surrounded by his children Brian, Jen, William, Melissa, Thomas, Michel-Lyn and Carolann, as his friends and colleagues honor him for his dedicated service to the Suffolk County Police Department, the PBA and the Emerald Society.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me in praising Tom Tohill for his devoted and courageous service to our families, friends and neighbors in Suffolk County. Tom's integrity and dedication to the law during a 33-year law enforcement career serves as an honorable example to the police officers who carry on his work, and are an inspiration to all of us who value his devoted public service and selfless commitment to the residents of our county. Thank you Tom, and God bless you.

HONORING CHRISTOPHER
BREISETH

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a man who is not only a highly respected leader in my community and an excellent educator, but also a very close friend of mine. This past Sunday, Dr. Christopher Breiseth was honored by the highly-respected S.J. Strauss Lodge of the B'nai B'rith as the recipient of the 54th Annual Community Service Award, which is presented to an outstanding citizen who, by courageous leadership and dedication on behalf of humanity, has made a valuable contribution to the fabric of our community life. It is my great privilege to join the entire Northeastern Pennsylvania community in congratulating Dr. Breiseth for this well-deserved award.

Chris Breiseth became president of Wilkes College in Wilkes-Barre, Pennsylvania in 1984, and over the last fourteen years he has had a tremendous impact on the Wilkes-Barre community, as well as all of Northeastern Pennsylvania. He transformed the college into one of the region's finest universities, which has gained recognition as an increasingly-sophisticated regional center for teaching and research, as well as a rich source for cultural and public service programs. Under his leadership, Wilkes University established a six-year Doctor of Pharmacy degree program, the Allan P. Kirby Center for Free Enterprise and Entrepreneurship, a campus-wide computer network, and numerous new and refurbished facilities.

Dr. Breiseth has been a tireless leader in all aspects of our community, including leadership positions with the Osterhout Library, the Wilkes-Barre Chamber of Business and Industry, Leadership Wilkes-Barre, and the United Way of Wyoming Valley. He has also taken an active role on the Executive Committee of the Association of Independent Colleges and Universities and chairs its Pennsylvania Independent Colleges and Universities Research Center.

Although I appreciate everything Chris Breiseth has contributed to the community of

Northeastern Pennsylvania, I am most personally gratified by the countless hours he has spent as the Chairman of the Board of the Earth Conservancy. In early 1991, we first began talking about the possibility of creating a unique organization which could purchase nearly 17,000 acres of land from a bankrupt coal mining company. Located in the heart of Wyoming Valley, this land held the key to our region's future, even as it bore the scars of the past. We shared the dream of reclaiming this land for the good of the community, and Chris Breiseth devoted a great deal of his life to achieving this dream. We endured skepticism, obstructionism, and downright hostility from nearly every quarter, but we persevered. The Earth Conservancy is now an important asset for Northeastern Pennsylvania, performing extremely valuable work. I am very proud of the work the Earth Conservancy is doing, and I am deeply grateful to Chris Breiseth for his leadership in this challenging endeavor.

Chris is blessed with a wonderful wife, Jane, and three exceptional daughters, Abigail, Erika, and Lydia. The entire Breiseth family has contributed greatly to the Northeastern Pennsylvania community, and I am pleased they have made Wilkes-Barre their home.

Mr. Speaker, every Member of Congress should be as fortunate as I am to have a friend and colleague like Chris Breiseth. It is a pleasure to bring his accomplishments to the attention of my colleagues in the House.

INTERNATIONAL WOMEN'S DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mrs. MALONEY of New York. Mr. Speaker, I've come to the floor on many occasions to talk about women's issues—most of the time it involves the women of this country.

I've often said that there is much work to do on behalf of the women of this country. However, we have made much progress, that we should not take for granted, especially today as we commemorate "International Women's Day".

Fifty years ago in Paris Eleanor Roosevelt—working as the US representative to the UN Commission on Human Rights joined her fellow delegates in crafting the language of the Universal Declaration of Human Rights. That document has set the standard for basic Human Rights for the last five decades. That declaration is what the world's courts and governments look to to set policy regarding the human condition.

Unfortunately, some nations' governments do not include women in their definition of "human" because they are denied the basic rights that should be afforded any individual. There are women in some countries who are routinely beaten. They are sold to men as sex slaves. They are made prisoners of war where rape becomes a weapon.

It is these women who cannot speak out, that my colleagues and I are remembering today.

We speak for the millions of women in Africa who are subject to genital mutilation. We

speak for the women in Mexico who are forced to take pregnancy tests and answer questions about their sexual habits as part of their job interviews. We speak for the women of Afghanistan who are not permitted to go to school or to enter the work force. They cannot leave their homes without being covered from head to toe. They are denied care in hospitals simply because of their gender. We speak for the tens of thousands of women in China who have been abducted or lured with promises of work or travel, then raped and beaten and forced into slavery. We speak out for the women in Peru where three cases of sexual violence occur every hour. We speak for these women because their voices deserve to be heard.

One voice which is being heard is that of First Lady Hillary Rodham Clinton. She has met with women from every corner of the world and heard their horrific stories. Fifty years after First Lady Eleanor Roosevelt was crafting the language of the Universal Declaration for Human Rights, the First Lady is taking up her cause.

At the 1993 World Conference on Human Rights the United States made its position clear with these words: "Violence and discrimination against women don't just victimize individuals they hold back whole societies, guaranteeing human rights is a moral imperative with respect to both women and men. It is also an investment in making whole nations stronger, more fair, and better."

However, the Convention on the Elimination of All Forms of Discrimination Against Women has been bogged down in the Senate for 17 years. The United States must make its position on this issue clear.

Fifty years ago a first lady of the United States was able to help shape opinions about the rights of women in countries around the world. Now, the United States is obliged to do as much. It must join the other 161 nations in ratifying this convention, for the women of other countries and its own.

PORTUGUESE INSTRUCTIVE SOCIAL CLUB OF ELIZABETH 76TH ANNIVERSARY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. MENENDEZ. Mr. Speaker, I rise today to congratulate the Portuguese Instructive Social Club of Elizabeth as they celebrate their 76th anniversary.

The club has demonstrated, time and again, its willingness to assist Elizabeth residents. The Club has been a vital supporter of the Amadeu Correia school which currently has 300 students learning the Portuguese language, history, and culture. The club also established and supports the Dancas e Cantares Portugal (a Portuguese folk dancing group) which performs at various events throughout New Jersey and the New England area.

The Portuguese Instructive Social Club will celebrate its accomplishments and anniversary with a dinner-dance at the Portuguese-American Hall on March 14.

TRIBUTE TO CESARINA EARL

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. PASCRELL. Mr. Speaker, I would like to introduce you to a remarkable individual, Ms. Cesarina Earl. On Saturday, March 14, Cesarina will be honored as a Woman of Distinction by the Girl Scouts of America. This award is presented to women who have provided a positive role model for young women.

I am proud to say that Cesarina was born and bred in the Eighth Congressional District of New Jersey. A graduate of Eastside High School in Paterson, New Jersey, she went on to graduate from Seton Hall University with a BA in History in August of 1965. Eager to pursue a career as a school librarian, Cesarina returned to school to earn her New Jersey State library science credentials, attending both Caldwell College and Rutgers University.

Cesarina has put her certification as a New Jersey Librarian/Education Media Specialist and a New Jersey Professional Librarian to excellent use. Possessing a keen interest in our United States, she has served as a school librarian from New York to California. Returning to Paterson, she was employed for twelve years in the Paterson Free Public Library System. From there, she moved on to serve as a school librarian/media specialist at North Arlington High School. Most recently, she has been hired by the Little Ferry Board of Education to work with children grades K-8.

In addition to her impressive professional career, Cesarina has been extremely active in the Italian-American community in the Greater New York Area. Accolades are nothing new to Cesarina. She has been honored by many Italian-American groups for her active role in that dynamic community. The proud mother of two grown children, she publishes a weekly newspaper, *The Italian Voice*, with her son Douglas. In addition to an impressive array of speaking engagements, she also travels extensively, speaking fluent Spanish and Italian.

Needless to say, Cesarina continues to enjoy her involvement with the Girl Scouts of America. Her leadership and dedication to this important young women's association led to the receipt of this prestigious award.

Mr. Speaker, I would ask that you join me, our colleagues, Cesarina's family and friends, and the Girl Scouts of America as they honor her as a Distinguished Woman in the Girl Scout World of People.

TRIBUTE TO DIRK OWENS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to one of my staff members who has denied to return to his family business.

Mr. Dirk Owens has served on my staff since the beginning—if not before—since he was a valued volunteer in my campaign for the House. Dirk has always displayed the

qualities that are essential to have as a congressional employee: dedication, hard work, and a desire to serve the people of his community. It seems that in the short time that he has been with me Dirk has served in almost every capacity ranging from field representative to scheduler, caseworker to surrogate speaker, and the all-important position of Agricultural Liaison. It is in this capacity that he has done his best work.

Mr. Speaker, as I've told this body several times, the district that I represent is one of the largest agricultural districts in the nation. I myself am a farmer and thus know how important it is to stay in touch with and communicate to the agricultural community. It's not a job that everyone can do—but Dirk did. Because he is from farm country he understands the pressures facing the American farmer, he knows the frustration of paperwork and regulations, he knows the joy of bringing in a good crop. On several occasions Dirk has represented me to the farmers of the 1st District and done an outstanding job. Our agricultural community owes him a debt of gratitude.

In this business, staff members come and go, often stopping by to serve their communities before moving down the road to different careers. Dirk has come to that point and has made the decision to return to his family farm to continue the work of generations. He will be missed but his contribution will always be appreciated. Dirk I wish you Godspeed and good luck.

TRIBUTE TO UNIVERSITY
SYNAGOGUE

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to commemorate the 55th Anniversary of the University Synagogue. I would also like to take this opportunity to acknowledge Rabbi Allen Freehling, President Buddy Jolton and the other members of their dynamic staff.

The Talmud states that "He who does charity and justice is as if he had filled the whole world with kindness." In the spirit of such words, innovative volunteers actively participate in delivering tremendous support, selflessly dedicating their time and energy to enriching our community. In fact, as the synagogue celebrates its 55th Anniversary, we also celebrate the holiday of Purim. This holiday celebrates two import traditions of mishlo'ah manot, or sending portions of foods to friends, and matanot l'evyonim, or giving charity to the needy.

For many years, the University Synagogue has sponsored a carnival to mark this joyous occasion, fulfilling the Talmudic call to service.

Mr. Speaker, distinguished colleagues, please join me in honoring the University Synagogue for its outstanding accomplishments on this joyous occasion, with best wishes that the University Synagogue continue in the core purposes of serving and perpetuating the Jewish community, its values and traditions.

HONORING BONNIE LOWREY FOR
HER MANY YEARS OF SERVICE

HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. MASCARA. Mr. Speaker, I rise today to recognize a very dedicated loyal federal employee who will retire from public service on March 31, 1998. Bonnie Lowrey has served as my Legislative Director and Press Secretary for the past three years and made my transition from a "normal life" to the halls of Congress relatively painless.

Prior to working in my Congressional office, Bonnie served in Speaker Foley's office for seventeen years. Her knowledge of parliamentary procedures, legislative issues and how to just get things accomplished make her an irreplaceable asset. It is not surprising that Bonnie intends to spend much of her retirement time doing volunteer community work. After all, she treated my constituents like they were part of her family.

Bonnie's husband George and son John also consider her an irreplaceable asset and eagerly anticipate her retirement. My wife Doe and I extend Bonnie a hearty congratulation. We wish her good health and encourage her to maintain her wonderful spirit and zest for life. She has my heartfelt appreciation for all she has done for me.

BILLIONS OF DOLLARS: THE COST
OF KYL-ARCHER TO MEDICARE
BENEFICIARIES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. STARK. Mr. Speaker, the Kyl-Archer Private Contracting legislation will cost the nation's seniors and disabled billions of dollars.

Kyl-Archer will let any doctor charge any Medicare patient any amount the doctor wants at any time. Medicare will pay no part of the bill—zero, zip, zilch.

How much will this cost Medicare beneficiaries?

It is hard to provide an exact estimate, but it will clearly be in the billions.

Some doctors do not accept Medicare's fee schedule and "balance bill" by increasing their charges to beneficiaries by 15% above 95% of the Medicare fee schedule. In 1995 the bills these doctors submitted amounted to \$1.236 billion. I think it is safe to assume that this is the minimum number of doctors (and level of billings) who will use Kyl-Archer.

But balance billing is a virus. Once some doctors start charging more, you can bet it will spread. Over the past 12 years, one of Medicare's greatest success stories has been to encourage doctors to accept the Medicare fee-schedule and to discourage balance billing. Before we started encouraging doctors to accept "assignment" 34.5% of bills were submitted by nonparticipating doctors who charged extra. If Kyl-Archer passes, I believe it will be a major signal to doctors to return to

the days of unassigned, balance-billed claims. If we were to return to the pattern of billings that existed before 1985, the cost to Medicare beneficiaries would be about \$15.23 billion. I doubt that we will see a return to that level of extra charges: with 73% of seniors living on less than \$25,000 a year, and with 4% actually trying to live on less than \$5,000 a year, it would be nearly impossible for doctors to shift that much cost onto the backs of seniors and the disabled. But I predict there will be some increase in private contracting above the current level of doctors who balance bill. If one assumed that we returned just one-third of the way toward the pattern of practice in 1985, then the cost to Medicare beneficiaries would be about \$5 billion per year.

Kyl-Archer gives doctors the freedom to charge more. For the rest of the nation, it will be one of the biggest consumer rip-offs in history. Don't worry about your cable tv rates, people, worry about being held hostage in your hour of sickness.

The following staff memo provides background on the estimates of the \$1,000,000,000 plus cost of Kyl-Archer. I've also included a chart prepared from data provided by the Health Care Financing Administration estimating some of the impact of the Kyl-Archer amendment.

For the calendar year 1996 participation period, the physician participation rate (including limited licensed practitioners) had risen to 77.5 percent, accounting for 94.3 percent of allowed charges for physician services during that period. The physician participation rate rose to 80.2 percent in 1997. In contrast, 30.4 percent of physicians participated in FY 85, and they accounted for 36.0 percent of allowed charges.

BILLINGS BY NONPARTICIPATING PHYSICIANS

As the physician participation rate has increased over the years, total allowed charges billed by nonparticipating physicians have declined. For example, total allowed charges billed by nonparticipating physicians in FY 85 totaled 64.0 percent, as compared to 5.7 percent in 1996.

UNASSIGNED CLAIMS BY NONPARTICIPATING PHYSICIANS

In addition, the number of unassigned claims submitted by nonparticipating physicians has declined. Total covered charges

represented by unassigned claims declined from 34.5 to 2.0 percent over the 1984-96 period.

PARTICIPATING PHYSICIANS' CLAIMS IN 1995

For the calendar year 1995 participation period, the physician participation rate (including limited licensed practitioners) was 72.3 percent, accounting for 92.6 percent of all covered charges for physician services during that period. 2.8 percent of allowed charges were unassigned claims submitted by nonparticipating physicians. In 1995, 76.7 percent of allowed charges under the fee schedule were for physicians' services, and another 3.2 percent were for the services of limited license practitioners. During that time period, the allowed amounts for claims by physicians totaled \$42.369 billion, and for limited license practitioners the total allowed amounts were \$1.784 billion. Allowed amounts for claims by both physicians and limited license practitioners totaled \$44.153 billion. The 92.6 percent of covered charges for physician services submitted by participating physicians (and limited license practitioners) during 1995 totaled \$40.886 billion.

UNASSIGNED CLAIMS BY NONPARTICIPATING PHYSICIANS

For the calendar year 1995 participation period, 2.8 percent of allowed charges represented unassigned claims, totaling \$1.236 billion. This represents total Medicare billings by physicians who do not accept assignment, and could be assumed to be costs that would be directly shifted to seniors if private contracting is allowed. If one were to assume that physicians would revert to their practices and behavior in 1985 with respect to billings for unassigned claims, it is estimated that charges totaling \$15.233 billion would be shifted to seniors. (2.8% : \$1.236 billion = 34.5% : \$15.233 billion).

	1997	1996	1995	1985
Percent of physicians ¹ participating	80.2	77.5	72.3	30.4
Percent of physicians ¹ not participating	19.8	22.5	27.7	69.6
Allowed amounts for claims by physicians ¹			\$44.153 billion	
Percent of allowed charges for physician services billed by participating physicians ¹	n/a	94.3	92.6	36.0
Percent of unassigned claims by nonparticipating physicians ¹	n/a	2.0	2.8	34.5

	1997	1996	1995	1985
Total amount billed by nonparticipating physicians ¹ on a non-assignment basis			\$1,236 billion	
Estimated annual charges that would be shifted to seniors			\$15,233 billion	

¹ Including limited licensed practitioners

² In 1995 a total of \$55.217 billion in claims were allowed for all providers. This total included \$42.369 billion for physicians and \$1.784 for limited license practitioners, or \$44.153 billion.

³ This figure represents the 2.8 percent of allowed charges by physicians and limited license practitioners that represented unassigned claims in 1995, multiplied by the \$44.153 billion in allowed amounts for claims by both physicians and limited license practitioners.

⁴ Assumes that physicians would revert to practices and behavior in 1985 with respect to billings for unassigned claims—that the total amount of unassigned claims from nonparticipating physicians would increase from 2.8 percent to 34.5 percent. That factor (2.8 percent : 34.5 percent) is multiplied by the dollar value of allowed unassigned claims by nonparticipating physicians and limited license practitioners in 1995.

IMPACT OF KYL/ARCHER IN DOLLARS AND CENTS

PREPARED FROM DATA PROVIDED BY THE HEALTH CARE FINANCING ADMINISTRATION

The Kyl/Archer bill allows doctors to require private contracts for Medicare-covered benefits, service by service and patient by patient, effectively removing Medicare's cost protections. Doctors would be able to charge more, while seniors would be left with outrageous bills to pay totally out of pocket.

Here's what the Kyl/Archer bill means in dollars and cents.

Today, under Medicare's rules, doctors can charge between \$2,514 and \$2,747 for heart bypass surgery. The beneficiary pays between \$503 and \$736, and Medicare picks up the rest. For many seniors, that's already a lot of money.

Under the Kyl/Archer so called "freedom of choice," a doctor can charge more than \$2,747 for a by-pass, but it's the Medicare patient who picks up the full tab.

Can seniors afford this? Almost 75% of Medicare beneficiaries have incomes less than \$25,000, so extra bills can be a disaster. By contrast, the average MEDIAN NET income is \$160,740.

Today, doctors can charge \$711 for prostate surgery, \$903 for cataract removal, \$77 for an office visit, \$32 for an electrocardiogram; and \$30 for a chest x-ray. All these services are covered by Medicare.

Under Kyl/Archer there are no limits to what doctors can charge, and seniors will pay every penny even after paying into Medicare through their lives.

Procedure and Total Charge	Under Medicare		If Doctor Requires Private Contract Patient Pays
	Medicare fee schedule	Maximum Doctor can charge	
Cataract Removal, Total Charge	\$827	\$903	
Medicare Pays	\$662	\$662	Medicare Pays Nothing
Beneficiary Pays	\$165	\$241	Patients Pays Total Charge—At Least \$903
By-Pass Surgery, Total Charge	\$2,514	\$2,747	
Medicare Pays	\$2,011	\$2,011	Medicare Pays Nothing
Beneficiary Pays	\$503	\$736	Patients Pays Total Charge—At Least \$2,747
Prostate Surgery, Total Charge	\$625	\$711	
Medicare Pays	\$522	\$522	Medicare Pays Nothing
Beneficiary Pays	\$103	\$189	Patients Pays Total Charge—At Least \$711
Office Visit, New Patient, Total Charge	\$70	\$77	
Medicare Pays	\$46	\$46	Medicare Pays Nothing
Beneficiary Pays	\$14	\$21	Patients Pays Total Charge—At Least \$77
Office Visit, Established Patient, Total Charge	\$40	\$43	
Medicare Pays	\$32	\$32	Medicare Pays Nothing
Beneficiary Pays	\$8	\$11	Patients Pays Total Charge—At Least \$43
Electrocardiogram, (EKG), Total Charge	\$29	\$32	
Medicare Pays	\$23	\$23	Medicare Pays Nothing
Beneficiary Pays	\$6	\$9	Patients Pays Total Charge—At Least \$32
Chest X-Ray, Total Charge	\$28	\$30	
Medicare Pays	\$22	\$22	Medicare Pays Nothing
Beneficiary Pays	\$6	\$8	Patients Pays Total Charge—At Least \$30

ST. MARTIN OF TOURS PARISH
75TH ANNIVERSARY

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. BORSKI. Mr. Speaker, I rise today to commemorate the 75th anniversary of the St. Martin of Tours Parish. The Parish has proven itself a great asset to the Catholic community, as well as to the surrounding Philadelphia area. St. Martin's prides itself in their dedication to their Roman Catholic heritage as suggested in their Diamond Jubilee motto: "Many People—One Family—Serving Christ."

St. Martin's first Mass was celebrated on June 17, 1923, in a two-story house with a mere 80 people in attendance. While the original two-story house still stands in Oxford Circle, the Parish has since grown in size to encompass two-and-one-half miles of Northeast Philadelphia. There are now two churches (upper and lower), two schools, a convent and a rectory that all stand on 4.3 acres. The lower church cost \$600,000 to build and was first put to use in 1948 where the first Mass was celebrated. The upper church, which was completed in 1954, took six years to complete at a cost of \$2 million. Its interior volume of some 500,000 cubic feet of space has a clear height of 50 feet from the floor to the ceiling. Nearly 400 tons of marble, having 21 varieties, were used in constructing the interior finish of the upper church. It was, at that time, the second largest shipment of marble received in the Port of Philadelphia.

The St. Martin of Tours School also started out as a small one-story building. The first school session began in September of 1925. Forty-three girls and twenty-eight boys were taught by three Sister Servants of the Immaculate Heart of Mary. A second school was needed shortly thereafter, and was completed in 1958. Today, the school consists of two three-story buildings, holding 1,500 students. The largest student enrollment occurred in 1963 with a total of 2,465 students.

The Parish membership has also risen to 5,573 families, or 16,663 parishioners, the largest enrollment in the City of Philadelphia. St. Martin's reached the height of its membership in 1963 when it had an estimated 10,000 attendees at 10 Sunday Masses. Today, six priests celebrate seven masses on Sunday. The parish has had only six pastoral leaders in its 75 years of existence, including Rev. Patrick Houston, Rev. John McHugh, Msgr. Walter Bowe, Msgr. Michael Marley, Rev. Leonard Furmanski and Rev. Thomas Murray, the current pastor. All of St. Martin's teachers, employees, volunteers, parishioners, and students make great efforts through prayers, talents, and dedication to strive to meet the challenges and the ever-changing needs of our diverse society. St. Martin's is a central presence to the Philadelphia area as it remains committed to living the daily example of "Many People—One Family—Serving Christ."

Mr. Speaker, I ask my colleagues to join me in applauding those associated with the St. Martin of Tours Parish. I pay tribute to this wonderful 75th anniversary celebration of Roman Catholic heritage, which has brought

much pride to the Philadelphia community. I wish St. Martin's Parish great success in the coming years.

IN HONOR OF MONSIGNOR
WILLIAM F. BURKE

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. SCHUMER. Mr. Speaker, I ask my colleagues to join me today as I commend Monsignor William F. Burke, Ph.D., on his fifty years of devoted service to the Knights of Columbus Rockaway Council.

A Bronx native, he is one of eight children born to Anthony B. Burke and Anna M. Wash. The product of a fine, traditional Catholic upbringing and education, Monsignor Burke attended such institutions as St. Joachim's School in Cedarhurst, Long Island, and St. Augustine's Diocesan High School in Brooklyn. He went on to study at St. John's College in Brooklyn, where he graduated Cum Laude, with a BA degree in June of 1939. Later, he received a M.A. from St. John's University in June 1948, and a Ph.D. from St. John's and Columbia Universities in 1959. He taught at St. John's University Graduate School from 1948-1952.

As a priest, he has had the chance to share his faith and spread the message to benefit a number of parishes throughout the years. He has had the opportunity to leave his mark on the parishes of St. Patrick's Church, in Huntington, Long Island (1943-1945) before going to St. Francis de Sales in Belle Harbor. In June 1951, he joined St. Camillus Parish in Rockaway Beach, where he was appointed to office of Director of Institutional Services in 1963. He retained this position until his retirement from the post in January 1995. Monsignor Burke is presently a Sunday assistant at that parish.

Among his many accomplishments at St. Camillus Parish, Msgr. Burke became Chaplain of Knights of Columbus in April 1948. He served on many Diocesan Committees as the Director of the Health Insurance and Employee Relations offices. Also during that time, he worked on a Papal committee for Pope Paul VI in 1965 and two for Pope John Paul II in 1979 and later again in 1995. In September of 1952, he established, organized, and directed the St. Camillus Band, which went on to win many competitions, medals and trophies. An octogenarian with a lot of spunk, he still manages to travel all over the United States as director of the band.

I would like to take this opportunity to salute Monsignor William Burke. He has made it his life's work to improve the human spirit and we thank you for your many years of service to the Catholic faith. Congratulations on fifty years of service to Knights of Columbus, Rockaway Council and to the citizens of New York, many more to come.

KENNETH STARR'S CREDIBILITY
AND INTEGRITY

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1998

Mr. OXLEY. Mr. Speaker, for those who missed it, I would like to bring an opinion piece from the March 11th Wall Street Journal to the attention of my colleagues. As the piece makes clear, our sense of right and wrong and our commitment to the rule of law is being challenged by the attacks on Independent Counsel Kenneth Starr's credibility and integrity. We would be wise to allow the investigation to proceed in an environment free of partisan bickering to allow the truth to be found.

Mr. Speaker, I commend the following column to the attention of all interested parties.

[From the Wall Street Journal, Mar. 11, 1998]

THE BORKING OF STARR

We blink every time talking heads discuss Kenneth Starr's low approval ratings; we hope we aren't the only ones taken a bit aback by the very idea of conducting opinion polls about judicial officers. In the judicial branch, we thought, the game was about statutes and precedents and scholarly qualifications, not about popularity. But perhaps this useful distinction too is being obliterated in the current climate.

If so, the corner was turned with the campaign against Robert Bork's nomination to the Supreme Court. Precisely because his scholarly attainments and intellect were the cream of his generation, his opponents feared his views would dominate a new crop of jurists. So they mounted a campaign to drive down his poll ratings, and thereby frighten the Senators weighing his nomination. They succeeded, but the cost to American institutions becomes clearer and clearer with the passage of time.

We have arrived at a point where a James Carville goes on television to declare "war" on Kenneth Starr. Mr. Starr is an official of the U.S. government, duly appointed by a panel of three judges pursuant to laws passed by the U.S. Congress and signed by Bill Clinton. Presumably this means he is not the local football coach, removable by mob sentiment. If Mr. Starr is abusing his powers, that same law provides that the Attorney General can remove him, and she should do so.

Instead, Mr. Clinton's Attorney General has expanded the scope of Mr. Starr's investigation at least three known times. Four former attorney generals, including Griffin Bell of the Carter Administration, have testified to Mr. Starr's long-standing personal reputation for integrity and judicial temperament. (Since their statement has not been widely covered, we reprint it in its entirety nearby.)

None of this matters in Mr. Carville's war, and we're confident none of it is explained to people when the pollsters put their questions.

What we have here is a public relations offensive intended to turn the public against a court official going about his work and not in a position to reply to every criticism. In the March 2 New York Times an obviously confident White House aide casually describes "our continuing campaign to destroy Ken Starr."

This "continuing campaign" hasn't been restricted to Mr. Starr, himself a former appeals court judge. Judge David Sentelle of

the three judge panel has been diminished by Clinton operatives as merely a tool of Senator Helms. Other troublesome judges can expect to be similarly targeted. This is, in effect, an attack on the judicial branch if not indeed the law itself.

In this campaign, the President of the United States avails himself of his own personal Praetorian Guard of dirt-diggers, personified by Terry Lenzner's Investigative Group Inc. Back in 1994, the President's private attorneys, Robert Bennett and David Kendall, retained IGI's services in the Paula Jones and Whitewater cases. Jack Palladino, hired in the first Clinton Presidential run to help with Betsey Wright's "bimbo eruptions," has also appeared on the scene, bragging about his success in avoiding subpoenas. Mike McCurry, spokesman for the Presidency who's doubling inappropriately as flack for Mr. Clinton's own lawyers, said the President was aware that his private lawyers had hired outside investigators but that the detectives weren't looking for "personal derogatory information."

Yet somehow derogatory information, some of it plainly false, keeps popping up. Former prosecutor Joseph diGenova said last month on "Meet the Press" that journalists told him that both he and his wife were being probed after they'd given interviews critical of Mr. Clinton in the Lewinsky scandal. Mr. Starr's private life has also been investigated, with all involved denying a White House connection. Mr. Starr's perhaps impolitic subpoena of White House spinner Sidney Blumenthal came after the IC's office started receiving reporters' calls asking for comment on destructive rumors about staff prosecutors. Wire stories, for example, suggested that prosecutor Bruce Udolf has been fined 10 years ago for violating a defendant's civil rights in Georgia. A former federal judge defended Mr. Udolf against the implication that he could be expected to abuse the law.

Richard Nixon's Watergate "plumbers" offended mainly because the President, who has authority over a powerful national security apparatus, had created a private posse to investigate his enemies, unchecked by professional pride and the mores of an ongoing institution. It's now evident that the Clintons learned two things from Watergate: Burn the tapes, and put your plumbers in your personal law firm to acquire attorney-client privilege.

No doubt the White House is proud of its success in Borking Mr. Starr. Yet serious people would recognize the damage being wrought to institutions developed over centuries to uphold the idea that civilization means something more than the sentiment of the passing moment. If poll ratings are all that matter in the nation's capital, a President can perhaps sustain them with a prosperous economy and a winning television manner, or as the Romans said, bread and circuses. Mr. Carville's war and Mr. Starr's polls give us a glimpse of one possible evolution of our political system in an era of instant communications. The issue is whether we will be governed by men or by laws.

UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

SPEECH OF

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 4, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 856) to provide a process leading to full self-government for Puerto Rico:

Mr. DEUTSCH. Mr. Chairman, recently, we have heard threats from the Popular Democratic Party of Puerto Rico (PDP) that it will boycott any referendum which does not include a definition of "commonwealth" that does not conform to PDP doctrine. It seems to me that this would be an ill-advised course for the PDP, because the elected constitutional legislature of Puerto Rico has adopted two resolutions formally requesting that Congress define the options it is willing to consider, and to authorize a status referendum on the basis of those definitions. When a political party places itself at odds with the will of the people acting through their constitutional process, and threatens to boycott the democratic constitutional process because it cannot dictate the terms of its participation, that political party is risking its credibility.

Deliberations regarding H.R. 856 have created an open marketplace of ideas on the Puerto Rico political status question, and I know the PDP is doing some serious soul searching because these are matters of such great concern to party leaders. However, the record of hearings and deliberations in the Resources Committee establishes clearly that the Ranking Minority Member, Mr. MILLER, did all that is humanly possible—and then some—to devise and win support for a definition of commonwealth that is both constitutional and acceptable to the PDP.

The record of Resource Committee hearings on H.R. 856 in Washington, San Juan and Mayaguez establish just as clearly that the PDP's "New Commonwealth" definition simply cannot be salvaged due to fatal constitutional flaws. In my own view, it is lamentable that the PDP leadership has not been more flexible, because that would have been more helpful to Mr. MILLER and others who wanted to be fair and find a definition with which the PDP could live.

When it became painfully obvious that the PDP would not adapt to the legal and political realities which govern any legitimate definition of commonwealth, Mr. MILLER, Mr. YOUNG, Mr. ROMERO and staff representing the Clinton Administration decided on a definition that was as fair as possible to the PDP. In the end, however, the definition had to be fair to the real other party in interest with which Congress is dealing in this matter—the people of Puerto Rico.

Indeed, the Young-Miller compromise definition goes much further to accommodate the PDP than Mr. YOUNG preferred. However, Mr. MILLER went the last mile to try to include a definition that with some creative interpretation can be reconciled with the Federal constitution, and at the same time embody a position

that is as fair as possible to the PDP. I support this definition of commonwealth and commend the bipartisan process through which it was achieved.

Still, the PDP has rejected any definition it does not write. However, the PDP was allowed to write its own ballot definition of commonwealth in 1993, and even then its definition got less than a majority of the votes in a plebiscite held under local law. The failure of that local plebiscite to resolve the status issue is why H.R. 856 is needed, but the PDP apparently does not want Congress to have its say or work its will in defining the options in a Congressionally-recognized referendum. Since commonwealth is a relationship to which Congress is one of the two parties, this PDP inflexibility is untenable.

The real problem is that the PDP will not accept any definition of commonwealth that is compatible with the U.S. Constitution.

The PDP does not accept the Federal supremacy under Article VI of the Constitution because the PDP demands a veto power so it can nullify future acts of Congress it does not want applied to Puerto Rico.

PDP leaders reject application of the Territorial Clause in Art. IV, Sec. 3, Cl. 2 even though the U.S. Supreme Court has ruled in cases that include *Harris v. Rosario* (1980) that the Territorial Clause still governs Puerto Rico's status.

The PDP insists that Puerto Rico have separate sovereignty and nationality, while also enjoying constitutionally guaranteed U.S. nationality and citizenship and permanent membership in the Federal union alterable only with consent of Puerto Rico.

Since Congress can not bind future Congress to a statutory relationship of that kind, even if Congress wanted to do that it would require an amendment to the U.S. Constitution. Since that is, in addition to everything else, a really bad idea which would create a permanent colonial appendage, amendment to the constitution to accommodate the PDP's four decade effort to contrive a new category of statehood seems quite implausible.

Instead of trying to reach agreement on the best definition possible in order to sustain and improve the status quo, the PDP leadership has chosen to re-package the "unalterable bilateral pact" theory in the form of the "New Commonwealth" status definition presented to the Committee on Resources in the House on March 19, 1997. The "New Commonwealth" definition would give Puerto Rico functional separate national sovereignty, but seeks to have the benefits of statehood and dual Puerto Rican-U.S. citizenship permanently guaranteed by the federal constitution.

This status would be a vested right of Puerto Rico beyond the reach of Congressional legislative authority, protected for all time from amendment without Puerto Rico's "mutual consent." Puerto Rico would not be a state, nor would it be a territory. It would be in a category by itself, a political entity of separate national sovereignty but within the federal union forever. There would be exemptions from federal law applicable to the States, as well as foreign affairs authority sufficient to enter into international agreements. The specific scope of separate foreign affairs authority and exemptions from federal law would be based on

defined spheres of "full self-government" (meaning separate national sovereign powers) as proposed by Puerto Rico.

At the same time, "New Commonwealth" would be a permanent form of political union equal to that which binds the States of the Union, and it would extend full U.S. citizenship to a population of 3.8 million people born and living outside the States of the Union. This citizenship would be protected by the 5th Amendment as if it were a fundamental constitutional right, and in addition it would be expressly denominated constitutionally as equal to the citizenship of persons born in the States of the Union. Residents of Puerto Rico would have identical "rights, privileges and immunities" as all U.S. citizens under the U.S. Constitution, including full parity in federal benefits and entitlements. However, instead of federal taxation on the same basis as the rest of the nation Puerto Rico would make an "equitable contribution" to the federal government in connection with such benefits "as provided by law."

This relationship would be binding on Congress in perpetuity—i.e. forever. In other words, it would be separate sovereignty and nationality like free association in the case of Micronesia—but with permanent union, full U.S. citizenship and a status equal to the 50 States. "New Commonwealth" would include special preferences not available to the states, including the "mutual consent" veto over federal law.

That there is nothing "new" about this proposal is clear from the letter of May 31, 1996, from the PDP President to Congressman YOUNG, stating that the "commonwealth" ballot definition in the 1993 plebiscite—which failed to receive a majority vote—was based on the definition of "New Commonwealth" which was allegedly "approved" by the House when it passed H.R. 4765 in 1990. Now, on March 19, 1997, the President of the PDP has presented to Congress the same 1990 definition of "New Commonwealth."

However, this "New Commonwealth" definition was not actually included in the bill approved by the House in 1990. Rather, H.R. 4765 simply included the general option of a "New Commonwealth Status" without stating what that might mean. Separately from the bill, House Report 101-790, Part 1, contained the "New Commonwealth" definition as proposed by the PDP itself back in 1990. So the PDP is merely playing back to the 105th Congress the same proposal it submitted to 101st Congress.

The assertion that this "New Commonwealth" proposal was approved by the House in 1990 is disingenuous. Indeed, the 1990 Committee Report stated that this PDP proposal would be considered, but that this did not "obligate this Committee or its counterpart Senate committee to necessarily incorporate the . . . description . . . in the legislation." Thus, in 1990 the House avoided any actual definition of commonwealth.

Instead, under the 1990 House bill continuation of the current status would have resulted from a majority vote for a "None of the above" option. This made the constitutional and political realities of the current status invisible, and made the status quo seem to be a default option in lieu of a "New Commonwealth Status" option which was not actually defined by Congress in the legislation.

Instead, the PDP was allowed to "fill in the blank" with its own definition in the Committee Report. While extremely prejudicial to informed self-determination and unfair to the statehood and independence parties, it is not hard to understand why the PDP would like to go back to the 1990 approach.

Since H.R. 4756 was never enacted by Congress the process for defining "New Commonwealth" in federal law ended there. However, the PDP was able to "fill in the blank" again in the 1993 plebiscite, and the result was a "have it both ways" definition that promised everything and cost nothing. Still, to vote for that option required devotion to the mythology of the unalterable bilateral pact rather than an understanding of the constitutional and political process for improving the current status.

By masquerading as a framework for full, legitimate and informed self-determination when it was non-substantive and non-committal on the true status options, and by linking its claim to be the vehicle for self-determination to the false promise that the U.S. will accept whatever the people of Puerto Rico choose in a referendum, H.R. 4756 was calculated to become the symbol but not the reality of a decolonization policy. Its very terms assured that it would not be enacted into law. That is why passage on suspension without open debate was engineered by Congressional staff.

In contrast, H.R. 856 and S. 472 define what actually exists rather than what does not. Thus, instead of a non-committal "agreement to agree" on terms for a "New Commonwealth," the current House and Senate bills constitute informed self-determination. If the House passes H.R. 856, it will supplant the evasion of real self-determination under H.R. 4756 with a constitutionally sound process to present real choices to the people of Puerto Rico.

H.R. 856 is not being passed in silence, this is a real and open debate that in and of itself will educate Congress and the people of Puerto Rico on the real work of decolonization that lies before us. The choices aren't painless and sterile, they are difficult and H.R. 856 tells the truth about the choices for the first time.

The "New Commonwealth" definition remains a "have it both ways" option contrary to Supreme Court, Justice Department and CRS constitutional analysis. The veil of ambiguity has been pierced as a result of scrutiny focused on past Congressional measures and lower court rulings influenced by PDP efforts in the 70's and 80's to make the revisionist definition of a "new" or "enhanced" commonwealth a *fait accompli*. The true nature of the current status and real options are becoming clear after years of political experimentation.***HD***Constitutional Implications of "New Commonwealth" Proposal

From the standpoint of American constitutional federalism, the PDP proposal of March 19, 1997, is best understood as a proposal to end Puerto Rico's unincorporated territory status by creating a new political status with some of the attributes of statehood and some of the powers of separate nationhood. In essence, it is an attempt to convert local constitutional self-government under the current territorial status into separate national sovereignty and nationality with permanent union

and common citizenship. Unable to make a choice between statehood and independence, Puerto Rico would have Congress convert the international treaty-based relationship of free association into a "nation-within-a-nation" status irrevocably guaranteed by the Congress within the framework of the U.S. Constitution.

COMPARISON TO HISTORICAL CONSTITUTIONAL PRACTICE REGARDING STATEHOOD

The primary differences between the "New Commonwealth" for Puerto Rico and the status of the rest of the states would be:

Permanent union and irrevocable citizenship would be created by federal statute defining the commonwealth status as non-territorial, rather than termination of territorial status through admission to the union under clause 1 of section 3 in article IV of the Constitution.

Puerto Rico would enjoy the essential rights of states (binding on Congress), but the commonwealth would enjoy "autonomy" (not be bound) with respect to critical burden-sharing elements of membership in the federal union. Thus, the benefits of statehood would be guaranteed, but Puerto Rico's reciprocal obligations to the nation would not be constitutionally defined. Puerto Rico's contribution to the nation would be the subject of on-going negotiation and ad hoc decision-making, the very conditions that led to undue influence by the Section 936 lobbyists and creation of the current status dilemma.

Congress could not change the initial negotiated terms of the relationship based on changing national priorities. Specifically, Congress would agree in the statute that in perpetuity every future Congress will be bound by this "New Commonwealth" status, which is "unalterable" without consent of Puerto Rico.

This really means that once Congress and the people of Puerto Rico have consented to the terms of the relationship the Supremacy Clause in article VI of the Constitution would be suspended to the extent required to enforce the rights, special preferences and exemptions from laws and responsibilities of the states which would be provided to the commonwealth ("associated free state" in Spanish).

COMPARISON TO HISTORICAL CONSTITUTIONAL PRACTICE REGARDING TERRITORIES

Since the period following the Northwest Ordinance of 1789 when the process for admission of new states to union began, the purpose of special measures to promote increased self-government in the U.S. territories historically has been to promote a smooth transition to full incorporation and statehood. Congress departed from this tradition when the U.S. acquired the Philippines, Cuba, Guam and Puerto Rico from Spain in 1899, and the U.S. Supreme Court defined them as "unincorporated" territories. Thus, in this century increased self-government for unincorporated territories has meant separate nationhood for Cuba and the Philippines, statehood for Hawaii and Alaska, and varying degrees of local self-government for other unincorporated territories.

As a result, instead of statehood like Hawaii or independence like the Philippines, Puerto Rico remains in an unincorporated territory status like Guam and the Northern Mariana Islands. Like the Northern Mariana Islands, Puerto Rico has a "commonwealth" structure

for internal self-government under a local constitution adopted with the consent of the people—who enjoy statutory U.S. citizenship. The Philippines also had the "commonwealth" structure of internal self-government from 1935 to 1946, ending in separate nationhood.

In this context it becomes clear that the idea behind the PDP "New Commonwealth" proposal is to make a specific set of special rights for an unincorporated territory permanent, rather than resolving the status of the territory through independence or statehood. The essential transaction between Congress and Puerto Rico, as proposed by the PDP, is to mix-and-match the most beneficial features of statehood and separate nationality, make it binding on the U.S. forever, and label it as a non-territorial and therefore non-colonial status.

The primary differences between the "New Commonwealth" and the historical practice of the U.S. concerning Puerto Rico and other unincorporated territories would be:

Congress supposedly would no longer have the ability to exercise its express power to determine the status of Puerto Rico and its inhabitants under the Territorial Clause of the Constitution (Article IV, Section 3, Clause 2). This proposed elimination of a constitutional express power of Congress by statute supposedly would make the "New Commonwealth" status a non-territorial.

The nationality and citizenship of the residents of Puerto Rico would be guaranteed under the 5th and 14th Amendments on the same basis as it is for persons born in the states rather than being determined by Congress under statutory provisions enacted pursuant to the Territorial Clause and article I, section 8 of the Constitution. At present, statutory citizenship based on birth in Puerto Rico is subject to regulation and termination at the discretion of Congress in accordance with the U.S. constitutional process. See, *Rogers v. Bellei* 401 U.S. 815 (1971) U.S. Supreme Court and Department of Justice Positions.

On July 28, 1994, the U.S. Department of Justice stated in a legal opinion that Congress is not bound by the current relationship with Puerto Rico or the current status of the territory created under federal statute. With respect to the concept of a binding pact based on the "mutual consent" principle the DOJ memo addressed the Puerto Rico questions as follows: "The Department revisited this issue in the early 1990's in connection with the Puerto Rico Status Referendum Bill in light of *Bowen v. Bowen* v. Agencies Opposed to Social Security Entrapment, 477 U.S. 41 (1986), and concluded that there could not be an enforceable vested right in a political status; hence the mutual consent clauses were ineffective because they would not bind a future Congress."

In Puerto Rico, it is argued that P.L. 81-600 created an "unalterable bilateral pact" since the local constitution adopted pursuant to that law was approved with the consent of the people in the territory. The theory is that once the people consented to the form of local self-government it can not be altered by Congress. From that premise the leap is made that as a matter of federal law this constitutes a fully self-governing status and that Puerto Rico is no longer a U.S. territory. Consequently, the

territorial clause no longer applies and Congress can not apply even federal laws to Puerto Rico without its consent.

The PDP definition of "New Commonwealth" is an attempt to "perfect" this "bilateral pact" relationship. The 1994 Department of Justice memorandum is ignored in the testimony of the PDP leaders which accompanied the new definition when proposed to the House Committee on Resources on March 19, 1997. Instead of addressing the constitutional issues, the PDP relies upon the following statement of Felix Frankfurter in 1914 when he was an official at the War Department in the days it administered Puerto Rican affairs: "The present day demand upon inventive statesmanship is to help evolve new kinds of relationships so as to combine the advantages of local self-government with those of a confederated union. Luckily, our Constitution has left this filed of invention open."

Of course, the field of invention Frankfurter was alluding to exists under the Territorial Clause of the Constitution. In contrast, the PDP proposes to convert the relationship created in 1952 by statute into a permanent form of union which exists outside the Territorial Clause authority of Congress.

In 1980 the U.S. Supreme Court ruled that Congress acts with respect to Puerto Rico under the Territorial Clause (*Harris v. Rosario*, 446 U.S. 651). In *U.S. v. Sanchez*, 992 F. 2d 1143 (1993) the court stated that Congress retains authority to determine the status of the territory in accordance with the Territorial Clause and the Treaty of Paris as it deems consistent with the national interest.

In *Reid v. Covert*, 354 U.S. 1 (1957), the U.S. Supreme Court described territorial clause status as a "temporary" condition regulated by Congress until institutions of self-government are established.

The response of the PDP to the Supreme Court ruling in *Harris* is to cite various 5th Amendment federal property rights cases involving commercial disputes and the enforceability of contract obligations, rather than political status questions. In addition, the PDP continues to rely on dictum from federal lower court decisions which actually went against the "unalterability" theory of commonwealth, but acknowledged the unique nature of the highly evolved federal-territorial relationship and the local self-governing status of Puerto Rico. See, for example, *U.S. v. Quinoes*, 758 F.2d 1143 (1993).

The cases cited by the PDP merely confirm the ambiguity and confusion in Congress and the courts due too much "inventive statesmanship" regarding the status of Puerto Rico over the years. It is time to sort it out through the deliberative process of our constitutional system.

The fact that Congress can be inventive does not necessarily mean that it serves the national interest or redeems the dignity of the concerned territorial population to do so. This is especially true when some in Puerto Rico and the federal government have attempted to convert temporary invention into a permanent extra-constitutional status. The "New Commonwealth" proposal is the last gasp of that doctrine.

The PDP also rejects the Young-Miller compromise definition because it tells the truth to

the voters at the expense of certain long-held PDP positions. For example, it recognizes that the current statutory citizenship is statutory, and in the future Congress could change the current policy of conferring U.S. citizenship on persons born in Puerto Rico. This is not to undermine the PDP, but because it is the truth. If people in Puerto Rico are going to continue to have citizenship which is permissive under the discretion of Congress rather than of right by constitutional guaranty, they should know that is what they are voting to approve.

Thus, the current statutory citizenship is secured by the U.S. constitution only in the sense that Congress can not end the conferral of U.S. citizenship on persons born in Puerto Rico without due process law. An act to amend or repeal 8 U.S.C. 1402, in other words, must be a valid exercise of Federal authority, involving legitimate Federal interests and measures reasonably related thereto.

Just as Congress extended U.S. nationality but not citizenship to Puerto Rico and the Philippines under the same Treaty of Paris provisions that still govern the civil rights and political status of persons born in Puerto Rico, Congress could alter the status of the territory and its population in the future. Existing policy is not irrevocable. Those currently having U.S. citizenship by statutory policy must be treated in accordance with due process and equal protection, but those born in the future have no right that would prevent Congress from altering the future policy on the status of the territory or persons born there.

Similarly, the Young-Miller compromise definition of commonwealth in H.R. 856 as offered by Mr. YOUNG in the nature of a substitute for passage also recognizes that U.S. citizens in Puerto Rico enjoy the rights, privileges and immunities of citizens in the states except where limited by the U.S. Constitution to citizens in the states. In addition to voting rights in national elections for President and Vice President and voting representation in Congress, the limitation on the rights, privileges and immunities of U.S. citizens in Puerto Rico include the absence of any reservation to the people of Puerto Rico under the 10th Amendment to the Federal constitution.

For as the Supreme Court made clear in the 1980 case of *Harris v. Rosario*, as long as Puerto Rico is within U.S. sovereignty but is not a state of the union Congress will retain the authority and responsibility under the Territorial Clause to determine the civil rights and political status of persons born in the territory. The statutory arrangements and policies adopted by one Congress are not binding on a future Congress. Thus, the Foraker Act governed the status of Puerto Rico from 1900 to 1917, then Congress altered that policy and replaced it with the Jones Act.

P.L. 81-600 replaced the Jones Act in 1950 and led to establishment of internal self-government, but Congress could change that policy as well. Congress could decide that Puerto Rico will never be a state, as it did in the case of the Philippines in 1916. In that case it would be reasonable and rational if Congress decided to stop conferral of U.S. citizenship which has been creating a large population of disenfranchised citizens who have no right to equality or prospect of self-determination through which such disenfranchisement can be ended.

In this regard, the Young-Miller compromise definition of commonwealth also recognizes that the current commonwealth relationship is not a constitutionally guaranteed status, but implements current policy. It is policy not to dissolve the commonwealth without consent of the people, but commonwealth is not a perma-

nent status like statehood under the federal structure of government.

Thus, a future Congress could determine that separate sovereignty is the only alternative to commonwealth, and that if commonwealth is to continue taxes must be imposed. That would alter the commonwealth relationship and current policy, and the Young-Miller

compromise recognizes that this could happen. No one expects that to happen any time soon, but the voters need to know where they stand under commonwealth in order to make an informed choice in the exercise of the right of self-determination.

I want to applaud what Mr. YOUNG and Mr. MILLER have accomplished.